

Title HR1. Rules Governing Organization and Management of the Utah House of Representatives

Chapter 1 Adoption of Rules and Practices

HR1-1-101 Adoption, amendment, or suspension of House Rules.

- (1) The House of Representatives shall adopt House rules at the beginning of each legislative session by a constitutional two-thirds vote.
- (2) Except as provided in this Subsection (2) and in Subsection (3), after the initial adoption of House rules, additional rules may be adopted or existing rules may be suspended, amended, or repealed by a majority vote, except the following, which require a two-thirds vote to adopt, suspend, amend, or repeal:
 - (a) rules governing limitation of debate;
 - (b) rules governing a motion to end debate (call the previous question);
 - (c) rules governing motions for lifting tabled legislation from committee;
 - (d) rules governing consideration of legislation during the last three days of a session; and
 - (e) rules governing voting in Title 4, Chapter 7, Voting.
- (3)
 - (a) A rule that includes a voting requirement of more than a constitutional majority must be adopted and may only be amended, suspended, or repealed by a constitutional two-thirds vote of all representatives.
 - (b) If the suspension of any House rule is governed by the Utah Constitution or Utah statutes, the House may suspend that rule only as provided by that constitutional or statutory provision.

HR1-1-102 Constitutional motion.

At the beginning of each session of the House, before the reading of any piece of legislation, the House Rules Committee chair shall make the following motion:

"Mr. (Madam) Speaker, as allowed by the Utah Constitution and the Joint Rules of the Legislature, I move that the House continue its practice of reading only the short title of bills and resolutions as they are introduced or considered on a House calendar and not read the long title of the bills and resolutions unless a majority of the House directs the reading of the long title, short title, or both of any House or Senate bill or resolution."

HR1-1-103 Mason's Manual of Legislative Procedure -- Reference.

In addition to House Rules and other applicable legislative rules, the presiding officer may use Mason's Manual of Legislative Procedure as a reference when a question arises about parliamentary practice, legislative process, or legislative procedure that is not resolved by reference to legislative rules.

Chapter 2 Initial Organization

HR1-2-101 Calling the House to order.

On the first day of each annual general session of the Legislature during odd-numbered years, the speaker-elect shall designate a person to call the House to order and preside until the representatives have taken the oath of office and elected a speaker.

Chapter 3 Speaker of the House

HR1-3-101 Election of speaker.

- (1) The House of Representatives shall elect a speaker from among its members to perform the duties established by this chapter.
- (2)
 - (a) Following a general election and before January 1 of odd-numbered years, the majority caucus shall elect a speaker-elect.
 - (b) Beginning January 1 of odd-numbered years, the representative elected by the majority caucus shall serve as speaker-elect and perform the duties of the speaker until the House elects a speaker as required by Subsection (1).

HR1-3-102 Duties of the speaker.

- (1) The general duties of the speaker are to:
 - (a) call the House to order at the time scheduled for convening, and proceed with the daily order of business;
 - (b) announce the business before the House in the order that it is to be acted upon;
 - (c) receive and submit in the proper manner all motions and proposals presented by representatives;
 - (d) put to a vote all questions that arise in the course of proceedings, and announce the results of the vote;
 - (e) enforce the House Rules governing debates;
 - (f) enforce observance of order and decorum;
 - (g) inform the House on any point of order or practice;
 - (h) receive and announce to the House any official messages and communications;
 - (i) sign all acts, orders, and proceedings of the House;
 - (j) appoint the members of committees;
 - (k) assign responsibilities to, and supervise the officers and employees of, the House;
 - (l) assign places and determine access for news media representatives; and
 - (m) represent the House, declaring its will and obeying its commands.
- (2) The speaker shall:
 - (a) sign, or authorize a designee to sign, all requisitions on the Division of Finance to pay House expenses; and
 - (b) give final approval of all expenditure requests as authorized by the majority and minority leaders of the House, including compensation and reimbursement for expenses for in-state and out-of-state travel on legislative business.

HR1-3-103 Temporary presiding officer in speaker's absence.

- (1)
 - (a) The speaker shall name a representative to act as speaker pro tempore during the absence of the speaker.
 - (b)
 - (i) If an interim vacancy in the office of speaker occurs because of the death, resignation, or disability of the speaker, the speaker pro tempore shall conduct the necessary business of the House only until an election is held by the House to fill the vacancy.
 - (ii) If a vacancy occurs as described in Subsection (1)(b)(i), the House shall hold an election to fill a vacancy in the office of speaker no later than:
 - (A) five legislative days after the vacancy occurs if the vacancy occurs during the general session; or
 - (B) 30 calendar days after the vacancy occurs if the vacancy occurs during the interim.
- (2) Notwithstanding Subsection (1), the speaker may name any other representative to perform the duties of presiding officer for a period not to exceed one legislative day.
- (3) If the speaker and the speaker pro tempore are absent at the time the session is scheduled to convene, and the speaker has not designated another representative to perform the duties of presiding officer, the representative of the majority party who is senior in House service shall call the House to order and preside until one of them returns.
- (4) The speaker pro tempore, and each representative authorized to preside by the speaker or this rule, has all the powers and responsibilities of the speaker while presiding.

Chapter 4 Other House Officers

Part 1 Chief Clerk

HR1-4-101 Appointment of chief clerk.

The speaker or speaker-elect of the House shall appoint a person to serve as chief clerk of the Utah House of Representatives.

HR1-4-102 Duties of the chief clerk.

The general duties of the chief clerk are to:

- (1) act as chief administrative officer of the House, subject to direction by the speaker of the House;
- (2) certify and transmit legislation to the Senate and inform the Senate of all House action;
- (3) assist in the preparation of the House Journal and certify it as an accurate reflection of House action;
- (4) make the following technical corrections to legislation either before or following final passage:
 - (a) correct the spelling of words;
 - (b) correct the erroneous division and hyphenation of words;
 - (c) correct mistakes in numbering sections and their references;
 - (d) capitalize words or change capitalized words to lower case;

- (e) change numbers from words to figures or from figures to words; and
- (f) underscore or remove underscoring in legislation without a motion to amend;
- (5) modify the long title of a piece of legislation to ensure that the long title accurately reflects any changes to the legislation made by amendment or substitute;
- (6) supervise all House of Representatives' non-partisan personnel during a session and assign them duties and responsibilities;
- (7) keep a record of the attendance of each in-session employee and ensure that each in-session employee is paid only for hours worked;
- (8) be the custodian of all official documents;
- (9) receive all numbered legislation from the Office of Legislative Research and General Counsel;
- (10) record the number, title, sponsor, each action, and final disposition of each piece of legislation on the legislation;
- (11) prepare and distribute the daily order of business each day;
- (12) advise the speaker on parliamentary procedure, constitutional requirements, and Joint and House Rules;
- (13) assist with amendments to legislation;
- (14) record votes and present the results to the speaker;
- (15) transmit all enrolled House bills and House concurrent resolutions to the governor;
- (16) approve material for placement on the representatives' desks if a representative has authorized that distribution;
- (17) maintain all calendars for the House floor; and
- (18) record the votes of any member who is present in the House chamber who requests assistance of the chief clerk.

Part 2

Sergeant-at-Arms

HR1-4-201 Appointment of sergeant-at-arms.

The speaker or speaker-elect of the House shall appoint a person to serve as sergeant-at-arms of the Utah House of Representatives.

HR1-4-202 Duties of the sergeant-at-arms.

The sergeant-at-arms and the employees under the sergeant's direction shall:

- (1) maintain security in areas controlled by the House;
- (2) enforce the House Rules at the direction of the presiding officer of the House;
- (3) enforce the provision of Utah Code Title 26, Chapter 38, Utah Indoor Clean Air Act, in areas controlled by the House; and
- (4) provide other service as requested by the chief clerk or the speaker.

Chapter 5

Schedule for the House of Representatives

Part 1

Convening and Daily Schedule

HR1-5-101 Hour of meeting.

During the regular general session, the House shall meet at 10:00 a.m. daily except Saturdays and Sundays, unless otherwise announced by the presiding officer.

HR1-5-102 Roll call -- Quorum.

- (1) The presiding officer or the presiding officer's designee shall:
 - (a) take a roll call of representatives at the beginning of each day's session; and
 - (b) ensure that the names of those present and absent are recorded in the journal.
- (2)
 - (a) The House may not begin House business until a constitutional majority of representatives are present as a quorum.
 - (b) Notwithstanding Subsection (2)(a), less than a majority of representatives may:
 - (i) convene each day; and
 - (ii) compel the attendance of absent members.

HR1-5-103 Daily order of business.

- (1) The daily order of business is:
 - (a) call to order by the presiding officer;
 - (b) prayer and Pledge of Allegiance;
 - (c) roll call;
 - (d) announcement of excused absences;
 - (e) communications from the governor;
 - (f) communications from the Senate;
 - (g) reports from committees;
 - (h) introduction of legislation given to the chief clerk at least one hour before the beginning of the session for inclusion in that day's agenda;
 - (i) unfinished business;
 - (j) consideration of legislation on consent calendar;
 - (k) consideration of legislation on the concurrence calendar;
 - (l) consideration of legislation on the third reading calendars; and
 - (m) miscellaneous business.
- (2) With the approval of a constitutional majority of representatives, the House may, at any time, proceed out of order to any business.
- (3) The presiding officer shall decide all questions of priority of House business without debate.

Part 2

Guest Speakers and Executive Sessions

HR1-5-201 Scheduling guest speakers.

- (1) As used in this rule:
 - (a) "Guest speaker" means a person who is scheduled to address the House of Representatives who is not a representative.
 - (b) "Guest speaker" does not include:
 - (i) a person who is called to address the House on a particular piece of legislation or issue under consideration by the House; or
 - (ii) a representative's introduction or acknowledgment of a visitor or special guest who does not address the House.
- (2) Before a guest speaker may address the House, the chief clerk, under the direction of the speaker, must schedule the guest speaker for a time certain on the House daily order of business.

HR1-5-202 Executive session.

- (1) The House of Representatives shall comply with the requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act, when holding an executive session.
- (2) When the House of Representatives approves a motion to go into executive session, the sergeant-at-arms shall close the House chamber doors.
- (3) The presiding officer may require that all persons, except the representatives, chief clerk, journal clerk, and sergeant-at-arms leave the chamber, halls, gallery, and lounge.
- (4) During the executive session, everyone present must remain within the chamber.
- (5) Everyone present shall keep all matters discussed in executive session confidential.
- (6) During the executive session, those within the chamber may not communicate with anyone outside the chamber by verbal, written, electronic, or any other means.

Part 3

Miscellaneous Requirements Relating to the House Schedule

HR1-5-301 Special order of business -- Time certain.

- (1)
 - (a) Except as provided in Subsection (2), a representative may make a motion, or the House Rules committee may recommend, that a piece of legislation become a special order of business on the time certain calendar.
 - (b) If the motion is approved by a majority of the members present, the chief clerk shall place the legislation on the time certain calendar.
- (2) A motion to place a piece of legislation as a special order of business on the time certain calendar may not be made if the legislation has not yet been placed on the third reading calendar.
- (3) At the time set for consideration of the legislation, the presiding officer shall place the legislation before the House.

HR1-5-302 Messages and reports received at any time.

The presiding officer may present communications from the governor, the Senate, other state officers, and the House Rules Committee at any time, unless the presiding officer is presenting a question or a vote is being taken.

HR1-5-303 Unfinished business.

When the House has unfinished business at the time of recess or adjournment, that unfinished business has priority on the daily order of business on the next legislative day.

Chapter 6 Impeachment

HR1-6-101 Impeachment.

If any representative submits a resolution to the House to begin impeachment proceedings, the House shall adopt, by constitutional majority vote, policies establishing procedures for, and governing the conduct of, the impeachment process.

Chapter 7 Commending or Expressing Condolences to Utah Citizen

HR1-7-101 Commendation or condolence citations -- Types of citations -- Use of citations.

(1) As used in this chapter:

(a)

(i) "Citation" means a certificate issued to honor or commend an individual or group, or to express condolences to the family of a deceased individual.

(ii) "Citation" includes a legislator citation, a House of Representatives citation, and a Utah Legislature citation.

(b) "House of Representatives citation" means a citation issued on behalf of the Utah House of Representatives.

(c) "Legislator citation" means a citation issued on behalf of an individual representative.

(d) "Utah Legislature citation" means a citation issued on behalf of both houses of the Utah Legislature.

(2) representatives shall use a citation to express the commendation or condolence of a representative, the Utah House of Representatives, or the Utah Legislature.

HR1-7-102 Obtaining a legislator citation.

(1) With the approval of the presiding officer, a representative may request that the chief clerk of the House prepare a citation for the representative's own signature.

(2) A Legislator citation does not require any floor action by the House of Representatives.

HR1-7-103 Obtaining a House of Representatives citation.

- (1) During any legislative session, a representative may:
 - (a) request that the chief clerk of the House prepare a citation for the representative's signature; and
 - (b) after requesting and receiving permission for personal privilege, make a motion on the floor of the House to:
 - (i) approve the citation; and
 - (ii) authorize the speaker of the House to sign the citation on behalf of the House of Representatives.
- (2) When the Legislature is not in session, a representative may request a citation for the sponsor's and the speaker's signature.

HR1-7-104 Obtaining a Utah Legislature citation.

- (1) During any legislative session, a representative may:
 - (a) request that the chief clerk of the House prepare a citation for the representative's signature; and
 - (b) after requesting and receiving permission for personal privilege, make a motion of the floor of the House to:
 - (i) approve the citation;
 - (ii) authorize the speaker of the House to sign the citation on behalf of the House of Representatives; and
 - (iii) present the proposed citation to the Senate for its approval.
- (2) When the Legislature is not in session, a representative may request a citation for the sponsor's and the speaker's and the president's signature.

Chapter 8
Postage Allowance

HR1-8-101 House postage allowance.

- (1) Each representative may deposit:
 - (a) up to 300 letters into the House mail system during the annual general session; and
 - (b) up to 10 letters per month into the House mail system during the remainder of the year.
- (2) Upon request from an individual representative, the speaker may grant an additional postage allowance.